PTO/SB/21 (05-03)

Approved for use through 04/30/2003. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number. 09/981,636 Application Number JUL 1 1 **1**003 TRANSMITTAL October 16, Filing Date **FORM** James D. Mai First Named Inventor 1645 (to be used for all correspondence after initial filing) Group Art Unit Unassigned Examiner Name 407T-897710US Total Number of Pages in This Submission Attorney Docket Number **ENCLOSURES** (check all that apply) After Allowance Communication **Assignment Papers** Fee Transmittal Form (for an Application) to Group Appeal Communication to Board Fee Attached Drawing(s) of Appeals and Interferences Appeal Communication to Group Amendment / Response Licensing-related Papers (Appeal Notice, Brief, Reply Brief) Petition Routing Slip (PTO/SB/69) After Final Proprietary Information and Accompanying Petition Petition to Convert to a Affidavits/declaration(s) Status Letter **Provisional Application** Power of Attorney, Revocation Change of Correspondence Additional Enclosure(s) X Extension of Time Request (please identify below): Address 9 References Terminal Disclaimer **Express Abandonment Request** receipt acknowledgment Small Entity Statement postcard Information Disclosure Statement Request for Refund Certified Copy of Priority **Authorization to Charge Deposit Account** Document(s) Please charge Deposit Account No. 50-0893 for any additional fees associated with this paper or during the pendency of this application, including any extensions of time Response to Missing Parts/ for consideration of the documents enclosed. Incomplete Application Remarks Response to Missing Parts under 37 CFR 1.52 or 1.53 SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT Firm Tom Hunter, Reg. No. 38,498, Quine Intellectual Property Law Group P.C. Individual name Signature

## **CERTIFICATE OF MAILING**

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.

	Ol :				
Typed or printed name	Chianti Appling				
Signature	(JDD		Date	9/9/03	
<del></del>		7			

Date

I hereby certify that this correspondence is being deposited with the United States Postal Service first class mail in an envelope addressed to:
Commissioner for Patents, P.O. Box 1450
Alexandria, VA 22313-1450, on

DUINE INTELLECTUAL PROPERTY LAW GROUP, P.C.

Chianti Appline

AECENER TOO SOON

Attorney Docket No. 407T-897710US Client Ref. No. 2000-032-2

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

James D. Marks, et al.

Application No.: 09/981,636

Filed: October 16, 2001

For: METHODS OF HIGH-

THROUGHPUT SCREENING FOR INTERNALIZING ANTIBODIES

Examiner: Unassiged

Art Unit: 1645

INFORMATION DISCLOSURE

STATEMENT UNDER 37 CFR § 1.97 and

§ 1.98

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Sir:

The references cited on attached form PTO-1449 are being called to the attention of the Examiner. Copies of the references are enclosed. It is respectfully requested that the cited information be expressly considered during the prosecution of this application, and the references be made of record therein and appear among the "references cited" on any patent to issue therefrom.

As provided for by 37 CFR 1.97(g) and (h), no inference should be made that the information and references cited are prior art merely because they are in this statement and no representation is being made that a search has been conducted or that this statement encompasses all the possible relevant information.

James D. Marks, et al.

Application No.: 09/981,636

Page 2

Applicant believes that <u>no fee is required</u> for submission of this statement, since it is being submitted prior to the first Office Action on the merits per 37 CFR 1.97(b)(3). However, if a fee is required, the Commissioner is authorized to deduct such fee from the undersigned's Deposit Account No. 50-0893. Please deduct any additional fees from, or credit any overpayment to, the above-noted Deposit Account.

Respectfully submitted,

Tom Hunter, J.D., Ph.D.

Reg. No. 38,498

QUINE INTELLECTUAL PROPERTY LAW GROUP, P.C.

P.O. BOX 458

Alameda, CA 94501

(510) 337-7871

Fax (510) 337-7877

PTO/SB/08A (04-03)

Approved for use through 04/30/2003. OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

09/981,636

October 16, 2001

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control substitute for form 1449A-B/PTO

Complete if Known

Substitute for form 1449A-B/PTO

Application Number

Filing Date

First Named Inventor

Group Art Unit

as many sheets as necessary)

First Named Inventor
Group Art Unit
Examiner Name
Attorney Docket Number
Date Submitted
James D. Marks
1645
Unassigned
407T-897710US
July 7, 2003

U.S. PATENT DOCUMENTS U.S. Patent Document Name of Patentee or Applicant of Date of Publication of Pages, Columns, lines, Where Relevant Passages Examiner Cite Kind Code Cited Document Cited Document Number Initials (if known) MM-DD-YYYY or Relevant Figures Appeal No. 4,885,172 1 Bally et al. 12/5/1989 5,389,523 2 Plant et al. 2/14/1995 5,399,331 3 Loughrey et al. 3/21/1995

			FOR	EIGN PATENT DOCUMEN	TS		
Examiner Initials	Cite No.	Office	Foreign Patent Document  Number	Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	Т
	4		WO 94/26787	Leland Stanford Junior University	11/24/1994		
	5		WO 99/10485	Selective Genetics, Inc.	3/4/1999		

	ı	OTHER PRIOR ART - NON PATENT LITERATURE DOCUMENTS	
Examiner Initials	Cite Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.		Т
	6	HURWITZ ET AL. (1995) "Suppression and Promotion of Tumor Growth by Monoclonal Antibodies to ErbB-2 Differentially Correlate with Cellular Uptake" Proc. Natl. Acad. Sci., USA, 92: 3353-33	
	7 LIU <i>ET AL</i> . (1998) "Constitutive and Antibody-Induced Internalization of Prostate-Specific Membrane Antigen" <i>Cancer Res</i> 58: 4055-4060). Howe		
	8 MATZKU <i>ET AL</i> . "Antibody Transport and Internalization into Tumours" (1990) <i>Br. J. Cancer Suppl</i> 10: 1-5		
	9	TSALTAS AND FORD (1993) "Cell Membrane Antigen-Antibody Comples Dissiciation by the Widely Used Glycine-HCL Method: An Unreliable Procedure For Studying Antibody Internalization" <i>Immunol Invest</i> , 22: 1-12	

Examiner	Date	
Signature	Considered	

<sup>\*</sup>EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.